



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office

Central Washington Field Office
215 Melody Lane, Suite 119
Wenatchee, Washington 98801

November 14, 2016

In Reply Refer To:

USFWS Reference: 01EWF00-2017-I-0116

Hydrologic Unit Code: 17-02-00-11-04

RE: NPDES Permit WA0001902, Leavenworth National Fish Hatchery

Michael J. Lidgard, Manager
NPDES Permits Unit
Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Dear Mr. Lidgard:

This responds to your request for informal consultation on the proposed issuance of National Pollution Discharge Elimination System (NPDES) Permit WA0001902 to the U.S. Fish and Wildlife Service's (Service) Leavenworth National Fish Hatchery (Project). Your Biological Assessment (BA) and supporting information were received in the Service's Central Washington Field Office on October 18, 2016.

The U.S. Environmental Protection Agency (EPA) has requested Service concurrence with the determination of "may affect, not likely to adversely affect" for the bull trout (*Salvelinus confluentus*) and its designated critical habitat, in accordance with section 7(a)(2) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. §1531 *et seq.*). Effects to other listed or proposed species, or their habitats, are not anticipated to occur.

Project Description and Effects

Through this Project, EPA has proposed setting effluent limitations, monitoring and reporting requirements, and best management practices for discharges at the Leavenworth National Fish Hatchery. EPA regulates these discharges pursuant to various sections of the Clean Water Act (33 U.S.C. §1251 *et seq.*). Although the Service has recently completed consultation with the EPA regarding the renewal of a general wastewater discharge permit for 25 aquaculture facilities located in Indian Country in Washington State (USFWS reference: 01EWF00-2016-1-0850, June 2, 2016), the Leavenworth National Fish Hatchery requires a separate permit due to higher required water quality standards in Icicle Creek and the Wenatchee River. We have incorporated

the previous analysis by reference, because many of the Project's effects are very similar to those described in the general wastewater discharge permit.

Discharge limitations have been established for flow, settleable solids, total suspended solids, temperature, total residual chlorine, total phosphorus, total ammonia, dissolved oxygen, pH, and turbidity. Discharge limitations may vary throughout the year for certain parameters. Monitoring requirements also vary by parameter and the monitoring frequency and method are specified. For a more detailed description of the proposed action, please see the Project BA.

The effects of discharges relate to water quality. Bull trout are very sensitive to environmental contaminants and require high water quality within their habitats (USFWS 2015). Several 303(d) impaired waters are present in the Action Area for multiple parameters (WDOE 2016), including temperature, dissolved oxygen, instream flow, ammonia-N, pH, PCBs, and 4,4'-DDE. This degraded condition has likely caused bull trout to modify their habitat selection spatially and temporally.

Effects of the action are anticipated to be both positive and negative. Negative effects involve the discharge of various contaminants that can degrade water quality directly or by interaction with other parameters (e.g., dissolved oxygen may decrease with increased discharge of phosphorus and temperature). But in other respects, the effects of the action may be positive in that effluent limitations are more restrictive and may lead to an improved environmental baseline. Based on information from the BA, discharges are not anticipated to approach LC50 values for any regulated parameters and are not expected to cause a significant impairment of normal bull trout behavior. Similarly, impacts to the primary constituent elements (PCE) of designated critical habitat for the bull trout are expected to be minor. Although impacts to PCEs 5 (temperature) and 8 (water quality and quantity) are expected at the site scale, effects are not anticipated to be of a sufficient size or magnitude to result in any meaningful effect at the reach scale. Therefore, Project impacts to bull trout and its designated critical habitat are expected to be insignificant.

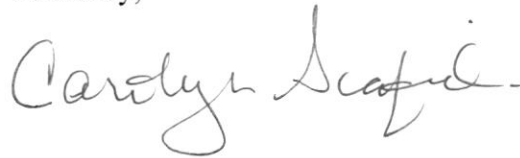
The Project BA describes effects that are either extremely unlikely to occur and/or immeasurable. The Service agrees that the proposed action will result in discountable and insignificant effects to bull trout and its designated critical habitat. Therefore, the Service concurs with your determinations of "may affect, not likely to adversely affect" for the bull trout and its designated critical habitat, based on the information included in the BA. Our concurrence is based on the Project being implemented as described in the BA.

Conclusion and Reinitiation

This concludes informal consultation pursuant to the implementing regulations of the Endangered Species Act, 50 C.F.R. § 402.13. This Project should be reanalyzed if new information reveals effects of the action that may affect listed or proposed species or designated or proposed critical habitat in a manner or to an extent not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to a listed or proposed species or designated or proposed critical habitat that was not considered in this consultation; and/or, if a new species is listed or critical habitat is designated that may be affected by this Project.

Thank you for your assistance in the conservation of listed species. If you have any questions or comments regarding this letter, please contact Jeff Krupka at the Central Washington Field Office in Wenatchee at (509)665-3508, extension 2008, or via e-mail at jeff_krupka@fws.gov.

Sincerely,



for Eric V. Rickerson, State Supervisor
Washington Fish and Wildlife Office

cc: Jill Nogi, EPA, Seattle (nogi.jill@epa.gov)
Steve Croci, USFWS, Leavenworth (steve_croci@fws.gov)
Malenna Cappellini, USFWS, Leavenworth (malenna_capellini@fws.gov)
Mark Celedonia, USFWS, Lacey (Mark_Celedonia@fws.gov)

References

WDOE (Washington Department of Ecology). 2016. Water Quality Assessment 305(b) Report and 303(d) List. <http://www.ecy.wa.gov/programs/wq/303d/currentassessmt.html> (accessed on November 2, 2016).

U.S. Fish and Wildlife Service (USFWS). 2015. Recovery plan for the coterminous United States population of bull trout (*Salvelinus confluentus*). Portland, Oregon. September 28, 2015. xii + 179 pages.